

No. LAO-67/3147—Whereas the President of India is satisfied that land specified below is needed by Government, at the public expense, for a public purpose namely, for planned development in Ballabgarh-Faridabad Controlled Area in tehsil Ballabgarh, district Gurgaon, it is hereby declared that the land described in the specification below is required for the aforesaid purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act I of 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Land Acquisition Collector, Directorate of Urban Estates, Haryana, Chandigarh, is hereby directed to take order for the acquisition of the land.

Plans of the land may be inspected in the offices of the Land Acquisition Collector, Directorate of Urban Estates Haryana, Chandigarh, and Estate Officer, Urban Estates Department of Town and Country Planning, Faridabad, district Gurgaon.

SPECIFICATION

| District | Tehsil | Locality/ Village Hadbast No. | Area in acres | Khasra Nos. |
|----------|------------|-------------------------------------|------------------|-------------------------|
| Gurgaon | Ballabgarh | Majessar, 79 (Sector No. 12) | 0.67 | 2 16, 17, 24/1, 25/1 |

No. LAO-67/3161.—Whereas the President of India is satisfied that land specified below is needed by Government, namely, for Telephone Exchange in the area of village Ballabgarh, tehsil Ballabgarh, district Gurgaon, it is hereby declared that the land described in the specification below is required for the aforesaid purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act I of 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Land Acquisition Collector, Directorate of Urban Estates, Haryana, Chandigarh, is hereby directed to take order for the acquisition of the land.

Plans of the land may be inspected in the office of the Land Acquisition Collector, Directorate of Urban Estates, Haryana, Chandigarh, and Estate Officer, Urban Estates Department of Town and Country Planning, Faridabad, district Gurgaon.

SPECIFICATION

| District | Tehsil | Locality/ Village Hadbast No. | Area in acres | Khasra Nos. |
|----------|------------|-------------------------------------|------------------|---|
| Gurgaon | Ballabgarh | Ballabgarh, 78 | 2.50 | 35 17/1/1, 18/1, 23, 24/1, 35, 43 24/2/1, 3, 4/1/1, 26 |

S. N. BHANOT, Jt. Secy.

PUBLIC WORKS DEPARTMENT, HARYANA

IRRIGATION BRANCH

The 12th December, 1967

No. 9803/Project(4) 1172, 67.—Whereas it appears to the President of India that land is required to be taken by Government at the public expense, for a public purpose, namely, for the kiln site opposite R. D. 52000 on right side of Delhi Parallel Branch, it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Land Acquisition Officer, Panipat, is directed to take order for the acquisition of land.

In view of the urgency of the acquisition, the President of India in exercise of the powers under section 17(a) of the said Act is further pleased to direct that the Land Acquisition Officer Panipat, shall proceed to take possession out of the land herein specified any waste or arable land in accordance therewith.

Plans of land may be inspected in the office of the Land Acquisition Officer, Panipat, and the Executive Engineer, Construction Division No. II, Karnal.

SPECIFICATIONS

| District | Tehsil | Village | H. B. No. | Area in acres | Boundary |
|----------|---------|-------------|-----------|---------------|---|
| Karnal | Panipat | Sikandrapur | 19 | 7.98 | A part of land comprising full field Nos. 63/18, 63/23, 67/3, 63/19, 63/22, and part of field Nos. 63/17, 63/24, 67/4, 67/2 and 87 on right side of Delhi Parallel Branch as shown on the plan and demarcated at site |

No. 9811/Project(4)/1172/67.—Whereas it appears to the President of India that land is required to be taken by the Government at the public expense for a public purpose, namely, the for kiln site opposite R. D. 61000 on right side of Delhi Parallel Branch, in tehsil Panipat, district Karnal, it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provision of section 6 of Land Acquisition Act, 1894, to all whom it may concern and under the provision of section 7 of Act, the Land Acquisition Officer, Karnal, is directed to take order for the acquisition for land.

In view the urgency of the acquisition, the President of India in exercise of the powers under section 17(a) of the said Act is further pleased to direct that Land Acquisition Officer, Karnal, shall proceed to take possession out of the land herein specified any waste of arable land in accordance therewith.

Plans of land may be inspected in the office of the Land Acquisition Officer, Karnal, and the Executive Engineer, Construction Division No. II Karnal.

SPECIFICATION

| District | Tehsil | Village | Area in acres | H. B. No. | Boundaries |
|----------|---------|--------------------|---------------|-----------|---|
| Karnal | Panipat | Panipat-Tarafansar | 7.82 | 12 | A plot of land comprising full rectangulations field Nos. 3065, 3066, 3071 to 3077, 3041 and part rectangulation field Nos. 3078, 3079, 3080, and 3038, 3042, on right side of Delhi Parallel Branch, as demarcated at site |

No. 9841/Project/(4)/1172/67.—Whereas it appears to the President of India that land is required to be taken by Government at the public expense for a public purpose, namely, for the Kiln site opposite R. D. 70000 on right side of Delhi Parallel Branch, tehsil Panipat, district Karnal, it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the Act, the Land Acquisition Officer, Karnal, is directed to take order for the acquisition of land.

In view of the urgency of the acquisition, the President of India in exercise of the powers under section 17(a) of the said Act is further pleased to direct that Land Acquisition Officer, Karnal, shall proceed to take possession out of the land herein specified any waste or arable land in accordance therewith.

Plans of the land may be inspected in the office of the Land Acquisition Officer, Karnal, and the Executive Engineer, Construction Division No. II, Karnal.

SPECIFICATION

| District | Tehsil | Village | Area in acres | Hadbast No. | Boundaries |
|----------|---------|-------------------------|---------------|-------------|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| Karnal | Panipat | Panipat Tafaf Rajputana | 7.51 | 16 | A plot of land comprising full rectangulations field Nos. 1758 to 1764, 1775 to 1783 and 1787 to 1788, 1784 and part rectan gulation field No. 1749, 1754, 1755, 1757, 1839 and 1840 on right side of Delhi Parallel Branch. as demarcated at site. |

By order of the President of India.

B.S. BANSAL,

Chief Engineer,
Irrigation Projects, Haryana,
Chandigarh.

LABOUR AND EMPLOYMENT DEPARTMENTS

The 12th December, 1967

No. 9315-2Lab 67 36134.—In exercise of the powers conferred by section 48 of the Land Acquisition Act, 1894, the President of India is pleased to withdraw from the acquisition of land measuring about 2 acres,

situated at village Bhiwani Johanpal, tehsil Bhiwani, on Bhiwani-Tosham Road. for the construction of a dispensary under the Employees' State Insurance Scheme, in respect of which notification No. 10313-IV-Lab-II-67/178, dated the 14th January, 1964, under Section 4 had been issued by the erstwhile Punjab Government. Labour and Employment Departments.

No. 11912-3Lab-67/36309.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XI of 1947), the President of India is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Chandigarh, in respect of the dispute between the workmen and management of M/S Havell's Electrical Sales Corporation, Mathura Road, Faridabad:—

BEFORE SHRI K.L. GOSAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, CHANDIGARH

Reference No. 90 of 1967

Between

THE WORKMEN AND THE MANAGEMENT OF M/S HAVELL'S ELECTRICAL
SALES CORPORATION, MATHURA ROAD, FARIDABAD.

Present.—Sh. S.L. Gupta, for the management.
Sh. Darshan Singh, for the workmen.

AWARD

An industrial dispute having come into existence between the workmen and the management of M/S Havell's Electrical(Sales)Corporation, Mathura Road, Faridabad, over the following two items, the same was referred for adjudication to this Tribunal under clause (d) of sub section 1 of Section 10 of the Industrial Disputes Act, 1947, vide Haryana Government Notification No. 356-SF-III--Lab-67/28964, dated 25th September, 1967:—

1. Whether the workmen should be granted bonus for the years 1964-65 and 1965-66? If so, what should be the quantum of bonus and the terms and conditions of payment thereof?
2. Whether the termination of services of Shri Sewa Ram was justified and in order? If not, to what relief is he entitled?

Usual notices were issued to the parties and in response to the same the workmen filed their statement of claims but before the management could file their written statement, the parties entered into an amicable settlement of the dispute and executed a document EX. A containing the terms and conditions on which the said settlement had been reached. I recorded the statements of the representatives of the parties and both of them stated that the dispute had been amicably settled between them and that an award may be given in terms of EX-A. In the circumstances I make my award in terms of EX-A which will be published along with this award and which shall form a part and parcel of the same.

No order as to costs.

Dated 6th December, 1967.

K. L. GOSAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Chandigarh.

No. 1402 dated the 6th December, 1967

The award be submitted to the Secretary to Government Haryana, Labour and Employment Department, Chandigarh, as required by Section 15 of the Industrial Disputes Act, 1947.

K. L. GOSAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Chandigarh.

SETTLEMENT UNDER THE INDUSTRIAL DISPUTES ACT, 1947 BETWEEN THE WORKMEN AND THE MANAGEMENT OF M/S HAVELL'S ELECTRICAL (SALES) CORPORATION, P.O. MATHURA ROAD, FARIDABAD

Representing Employer .. Shri A.K. Gandhi, Works Director.
Shri S.L. Gupta, Labour Law Adviser.

Representing Workmen x.. Shri Darshan Singh, Genl. Secretary, Faridabad Engineering Workers' Union, NIT, Faridabad (Haryana State), Shri Sheo Prasad Pandey.

Whereas an industrial dispute is pending before the Hon'ble Presiding Officer, Industrial Tribunal, Chandigarh, regarding Bonus and Shri Sewa Ram, workman.

Terms of Reference No. 90 of 1967 are as under :—

- “(1) Whether the workmen should be granted bonus for the year 1964-65 and 1965-66? If so, what should be the quantum of bonus and the terms and conditions of payment thereof?
- (2) Whether the termination of services of Shri Sewa Ram was justified and in order? If so, to what relief is he entitled?”

And whereas the parties have mutually settled the above disputes under the terms and conditions herein below-mentioned:

- (1) That the management has agreed to pay bonus at 6 per cent of the wages earned by the workmen during 1966-67. This sum will include the minimum bonus provided for under the Payment of Bonus Act, 1965 and the balance amount will be treated as Exgratia payment to the workmen.
- (2) That the workmen in consideration of the undertaking on the part of the management as described in para 1 above agree to abandon their claim of Bonus for the years 1964-65 and 1965-66.
- (3) That the management undertake to make payment of bonus as described above in para 1 in easy instalment to be cleared up by the end of March, 1968. The workmen appreciating the financial difficulties of the management agree to the above mode of payment.

(4) That Shri Sewa Ram gives up his claim of reinstatement or re-employment and in consideration of this, the management agrees to pay earned wages, wages in lieu of earned leave outstanding, if any, and one month's pay as ex-gratia payment. The workmen agrees to receive this amount in full and final settlement of all his dues against the Company.

(5) That both the parties agree to withdraw the Reference pending before the Hon'ble Presiding Officer, Industrial Tribunal, Chandigarh, described herein above. Both the parties will make a statement to this effect on the next date of hearing, i.e., the 14th of November, 1967.

Both the parties set their hands to these presents on this the 10th Day of November, 1967, in presence of witnesses :

(DARSHAN SINGH)
(SHEO PRASAD PANDEY)

(A.K. GANDHI)
(S. L. GUPTA)

Representing workmen.

Representing Employer.

WITNESSES

(1).....

(2).....

No. 11913-3Lab-67/36311.—In pursuance of the provisions of section 7 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the President of India is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Chandigarh in respect of the dispute between the workmen and management of M/s General Rubber Company (P) Ltd., Mathura Road, Faridabad.

BEFORE SHRI K. L. GOSAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, CHANDIGARH

Reference No. 88 of 1967

Between

THE WORKMEN AND THE MANAGEMENT OF M/S GENERAL RUBBER
COMPANY (P) LTD., MATHURA ROAD, FARIDABAD

Present.—

Shri S. L. Gupta for the management.

Shri Darshan Singh for the workmen.

AWARD

An industrial dispute having come into existence between the workmen and the management of M/s General Rubber Company (P) Ltd., Mathura Road, Faridabad, over the following two items, the same was referred for adjudication to this Tribunal under clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947,—*vide* Haryana Government Notification No. 430-SF-III-Lab-67/28652, dated 25th September, 1967:—

(1) Whether the seasonal uniforms should be supplied to the workmen ? If so, with what details and from which date ?

(2) Whether dearness allowance should be granted to the unconfirmed workers alike permanent workers of the factory ? If so, with what details and from which date ?

Usual notices were issued to the parties and in response to the same the workmen filed their statement of claims but before the management could file their written statement the parties entered into an amicable settlement of the dispute and executed a document Ex. A containing the terms and conditions on which the said settlement had been reached. I recorded the statements of the representatives of the parties and both of them stated that the dispute

had been amicably settled between them and that an award may be given in terms of Ex. A. In the circumstances I make my award in terms of Ex. A which will be published along with this award and shall form a part and parcel of the same.

No order as to costs.

Dated the 6th December, 1967.

K. L. GOSAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Chandigarh.

No. 1403, dated Chandigarh, the 6th December, 1967.

The award be submitted to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required by section 15 of the Industrial Disputes Act, 1947.

K. L. GOSAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Chandigarh.

SETTLEMENT UNDER SECTION 18(1) OF THE INDUSTRIAL DISPUTES ACT, 1947

For the Employer.--

Mr. S. L. Gupta, Authorised Representative.

For the Workmen.--

Mr. Darshan Singh, General Secretary, Faridabad Engineering Workers' Union, Faridabad.

Whereas an industrial dispute is pending before the Hon'ble Presiding Officer, Industrial Tribunal, Haryana, Chandigarh, regarding Uniform and Dearness Allowance to unconfirmed workmen, the terms of reference being as under :—

“Whether the seasonal uniform should be supplied to the workmen ? If so, with what details and from which date ?

Whether Dearness Allowance should be granted to the unconfirmed workers alike permanent workers of the factory ? If so, with what details and from which date ?”

And whereas the parties have mutually settled the disputes under the terms and conditions herein below detailed :—

- (1) That the management has agreed to provide one uniform after every six months to the workmen of the factory.
- (2) That the uniform will consist of one Khaki Pant and one Khaki Shirt.
- (3) That the management has further agreed to give a raise of Rs 6 to each workmen of the factory with effect from 1st October, 1967.
- (4) That in consideration of the above benefits provided by the management, the workmen withdraw their claim for Dearness Allowance to unconfirmed workmen.
- (5) That in consideration of the management's undertaking to provide uniform as described under para 1 and 2 of this Settlement, the workmen do not press the demand for seasonal uniforms.
- (6) That the Union hereby withdraws the Reference pending before the Industrial Tribunal and undertakes to make a statement to this effect on the next date of hearing, i.e., 14th November, 1967.

The parties set their hands to these presents on this day of 8th November, 1967 in the presence of witnesses.

DARSHAN SINGH,
For the Workmen.

S. L. GUPTA,
For the Employer.

WITNESSES

(1)

(2)

K. L. GOSAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Chandigarh.

The 19th December, 1967

No. 12025-3 Lab-67/36504.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XI of 1947), the President of India is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Chandigarh, in respect of the dispute between the workmen and the management of M/s J.N. Sharma and Sons, N.I.T., Faridabad.

BEFORE SHRI K.L. GOSAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, CHANDIGARH.

Reference No. 62 of 1967

between

The Workmen and the management of M/s J.N. Sharma and Sons, N.I.T., Faridabad.

Present :

Shri R.C. Sharma and Shri V.D. Punj for the management.

Shri G.C. Joshi for the workmen.

AWARD

An industrial dispute having come into existence between the workmen and the management of M/s J.N. Sharma and Sons, N.I.T., Faridabad, the same was referred for adjudication to this Tribunal under clause (D) of sub-section 1 of section 10 of the Industrial Disputes Act, 1947, — vide Haryana Government Notification No. 206-SF-III-Lab-67/18021, dated 22nd June, 1967. The only item of dispute which is mentioned in the said notification is as under :—

“Whether the lay-off of the workmen shown in Annexures I & II for the periods noted therein was justified and in order ? If not, to what relief are the workers entitled ? ”

Usual notices were issued to the parties and in response to the same the workmen filed their statement of claims and the management filed their written statement to the same. The pleadings of the parties gave rise to three issues which were framed on 15th September, 1967 and which are as under :—

1. Whether the dispute in question is an Industrial Dispute ?
2. Whether the reference is invalid because no demand notice in respect of lay-off for the period after 18th March, 1967 was served by the workmen ?
3. Whether the lay-off of the workmen shown in annexures I and II for the periods noted therein was justified and in order ? If not, to what relief are the workers entitled ?

Parties were given opportunity to produce their evidence on the said issues and after the conclusion of the same their representatives also addressed their arguments to me.

M/s J.N. Sharma and sons are manufacturing Hurricane Lanterns as also some telephone poles. The case of the management is that the machines which were manufacturing lanterns were not working properly and that they needed whole-sale overhauling. The production of lanterns had very much lessened and those which were produced were not of proper quality. The management called a meeting of their concerned officers which included the foreman and the Chief Engineer. They called upon their officers to specify why the lanterns machines were not giving proper production and why the quality of the lanterns had deteriorated. The foreman and the Chief Engineer explained to the management that the machines badly needed repairs and overhauling. They also said that most of the machines needed change of several important parts. In the said meeting a list of such parts was prepared which needed immediate change. The said parts were then purchased and it took the management almost over three months to overhaul the machines and to put them to proper working. During this period they had to lay-off 39 workmen who were at that time working on the said machines. The management has further pleaded that they told all those workmen that if any of them wanted alternative job in the pole section he could be accommodated there. Only two of the workmen agreed to go to the pole section and they were sent there. This offer was later repeated to the workmen on different occasions and 9 of them offered for employment in the pole's section on 1st April, 1967 and one more offered later on 28th April, 1967. The other workmen refused to work in that section and could not therefore be employed there. The case of the management further is that proper notices of lay-off were put up on the notice board and were also sent to the authorities to whom they had to be sent under the rules. The case of the workmen on the other hand is that the management laid off 39 workmen merely with a view to victimise them for their trade union activities. In support of their version the management have produced six witnesses. The first three of them namely R. W. 1 Lakhu Ram, R.W. 2 Raghu Nath and R.W. 3 Bal Ram are the workmen who were laid off from the lantern machines section. The first two of them accepted to work in the pole section but the third did not. R.W. 4 Shri Tirbani Singh is the foreman and R.W. 5 Shri R.P. Sharma is the Chief Engineer in the said concern. R.W. 6 Shri V.D. Punj is the manager of the concern. The evidence of R.W. 4, R.W. 5 and R.W. 6 fully supports the version of the management. All of them have stated that the machines in the lantern sections badly needed repairs and that the said section had to remain closed for over three months for the purpose of overhauling the machinery. I have no reason to disbelieve the evidence of these three witnesses. The evidence of the workmen consists only of four witnesses. Two of them have stated that the lay-off was made merely to victimise the workmen. None of them has denied that the wholesale repairs of the machines were carried out during the period of lay-off and that a number of parts of the said machines were actually changed. Considering the evidence as a whole I am definitely of the opinion that it has been clearly established on the records that the lay-off was made because of the break-down of the machinery and because of the fact that the machinery needed change of several parts and wholesale repairs. R.W. 6 has stated that notices R. 11, R. 12, R. 14 and R. 17 were sent to the various authorities to whom the same had to be sent under the rules. R.W. 8 Shri R.C. Sharma has produced the peon book which shows that copies of the notices were sent to the Conciliation Officer, Faridabad. A copy of the said peon book is Exhibit R. 23. I am definitely of the view that the lay-off in the present case for the periods 1st March, 1967 to 14th April, 1967 and then again from 16th April, 1967 to 23rd May, 1967 was fully justified and in order. The workmen are not entitled to any relief and their demand is therefore dismissed. Since I have held above that the workmen have no case even on merits it is unnecessary to decide the preliminary issues No. 1 and 2.

No order as to costs.

The 6th December, 1967.

K. L. GOSAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Chandigarh.

No. 1419, dated Chandigarh, the 7th/8th December, 1967.

The award be submitted to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required by section 15 of the Industrial Disputes Act, 1947.

K. L. GOSAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Chandigarh.